

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	:	Chapter 11
	:	
FINOVA CAPITAL CORP.,	:	
	:	
Reorganized Debtors.	:	Case Nos. 01-0698 (PJW)
	:	Jointly Administered
	:	
	:	

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**CROSS-APPELLEE'S DESIGNATION OF ADDITIONAL  
DOCUMENTS FOR THE RECORD ON APPEAL AND  
STATEMENT OF ADDITIONAL ISSUES ON APPEAL**

Pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure, the Official Committee of Equity Securities Holders (the "Equity Committee"), as Cross-Appellee, responds to the Designation of Additional Items to be Included in the Record on Appeal and Statement of Issues on Cross-Appeal [Docket No. 239] by: (i) designating additional documents for the record on appeal;<sup>1</sup> and (ii) stating additional issues on appeal:

**I. Designation of Additional Documents for the Record on Appeal**

1. Final Decree and Order Closing Certain Chapter 11 Cases Pursuant to Section 350(a) of the Bankruptcy Code, Bankruptcy Rule 3022 and Local Rule 5009-1 and Granting Related Relief [Case No. 01-697, Docket No. 2025].
2. Order Approving the Form and Manner of Notice and Limiting Notice of the Motion of the Reorganized Debtor for an Order Under Bankruptcy Code Section 1141 Clarifying Provision Confirmed Plan [Docket No. 26].
3. Notice of Motion Filed by Eugene Linden [Docket No. 36].

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<sup>1</sup> The documents designated herein are in addition to any of the documents listed in *Appellant's Designation of Documents for the Record and Statement of Issues on Appeal* filed on July 16, 2007 [Docket No. 233].

4. Order Directing the Office of the United State Trustee to Appoint an Official Committee of Equity Security Holders for a Limited Purpose and Granting Related Relief [Docket No. 48].

5. Limited Objection to the Motion of the Reorganized Debtors for an Order Pursuant to Sections 105(a), 350(b), an 1142 of the Bankruptcy Code and Rules and Rules 3020(d), 5010 and 9019 of the Federal Rules of Bankruptcy Procedure (i) Approving Settlement of Thaxton Litigation, (ii) Approving the Ongoing Sale of Reorganized Debtors' Remaining Assets, the Windup of the Reorganized Debtors' Operations and the Future Dissolution of Reorganized Debtors, (iii) Reopening Finova Group's Chapter 11 Case and (iv) Channeling Claims Related to the Reorganized Debtors' Chapter 11 Plan into this Court (D.I. 177) [Docket No. 181].

6. Transcript of Hearing held on July 24, 2007 before the Honorable Peter J. Walsh [Docket No. 240].

## **II. Statement of Additional Issues on Appeal**

1. Should the cross-appeal of the Orders dated June 16, 2005, December 30, 2005, and February 6, 2007, be dismissed as untimely and/or moot?

Dated: August 6, 2007  
Wilmington, Delaware

**WILLIAM D. SULLIVAN, LLC**

/s/ William D. Sullivan

William D. Sullivan (No. 2820)  
4 East 8th Street, Suite 400  
Wilmington, DE 19801  
Tel: (302) 428-8191  
Fax: (302) 428-8195  
email: bill@williamdsullivanllc.com

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**ANDERSON KILL & OLICK, P.C.**

Mark D. Silverschotz, Esq.  
James M. Andriola, Esq.  
1251 Avenue of the Americas  
New York, NY 10020-1182  
Telephone: (212) 278-1000  
Facsimile: (212) 278-1733

*Attorneys for Appellant and Cross-Appellee,  
Official Committee of Equity Security Holders*